

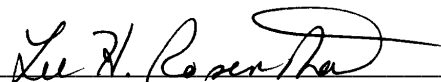
**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

AMAZING SPACES, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION NO. H-08-0629
	§	
METRO MINI STORAGE, <i>et al.</i> ,	§	
	§	
Defendants.	§	

**ORDER**

This court dismissed this action with prejudice and entered final judgment on September 28, 2009. (Docket Entry No. 55). The defendants filed a motion for an order canceling the federal trademark registration on October 9, 2009. (Docket Entry No. 58). Amazing Spaces filed a notice of appeal to the Fifth Circuit on October 19, 2009. (Docket Entry No. 61). In light of this court's entry of final judgment before the filing of the defendants' motion, the subsequent notice of appeal, and the lack of any request to vacate the final judgment, the defendants are directed to file a supplemental brief by November 25, 2009, addressing whether this court has jurisdiction to rule on the motion to cancel. The plaintiff must file any response no later than December 4, 2009.

SIGNED on November 17, 2009, at Houston, Texas.



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Lee H. Rosenthal  
United States District Judge